

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHARMION S. YELLOWCLOUD,

Defendant.

**ORDER SETTING CONDITIONS OF  
RELEASE**

Case Number: 8:16CR333

**IT IS ORDERED** that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant must cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
- (3) The defendant shall immediately advise the court, defense counsel and the U.S. attorney in writing before any change in address and telephone number.
- (4) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed.

The defendant shall next appear at (if blank, to be notified):

**RELEASE ON UNSECURED BOND**

**IT IS FURTHER ORDERED** that the defendant be released provided that:

- ☐ The defendant executes an unsecured bond binding the defendant to pay the United States the sum of dollars (\$.) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA  
2018 MAR 12 PM 3:18  
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## ADDITIONAL CONDITIONS OF RELEASE

Upon finding that release subject to the above conditions will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community,

**IT IS FUTHER ORDERED** that the release of the defendant is also subject to the following conditions.

### **Third Party Custodian**

- ☒ The defendant is placed in the custody of her mother,

Sharon Yellowcloud  
Niobrara, NE

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: \_\_\_\_\_

Custodian or Proxy

Date

### **Court Supervision and Restrictions.** The defendant shall:

- ☒ (a) Truthfully report to the United States Probation and Pretrial Services Office as directed 402-661-7555 and comply with their directions.
- ☒ (d) Immediately seek and maintain employment.
- ☒ (h) Avoid all contact, directly or indirectly, with any persons, who are or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to: R.K.
- ☒ (k) Reside at Sharon Yellowcloud in Niobrara, Nebraska at all times, which is within walking distance to the HEART program. The defendant will immediately re-enroll in the HEART program, located in Niobrara, NE, and comply with all the rules of such facility. In the event that the defendant is discharged from the facility for any reason whatsoever, or leaves the premises of the facility without authorization, the United States Marshal, and/or any law enforcement officer is ordered to take the defendant into custody and detain the defendant pending a prompt hearing before the court to review the conditions of release.
- ☒ (l) Not possess a firearm, destructive device, or other dangerous weapon.
- ☒ (m) Refrain from any use or possession of alcohol.
- ☒ (n) Not possess or use a narcotic drug or other controlled substances defined in 21 U.S.C. § 802 unless prescribed by a licensed medical practitioner.
- ☒ (o) Submit to any method of testing at his/her own expense as required by the officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and may include urine testing, the wearing of a sweat patch, blood tests, and/or a remote alcohol testing system. Defendant shall not obstruct or attempt to obstruct or tamper in any fashion with the efficiency and accuracy of any substance testing equipment, nor submit samples of body fluids which are not his/her own, nor otherwise adulterate any samples submitted for testing. All collections of fluids for testing shall be at the defendant's expense, payable at the time of collection.
- ☒ (s) Report as soon as possible to the supervising officer any contact with law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.

- ☒ (v) Not be with, associate with, or communicate with persons known or suspected to be or to have been involved in drug use or trafficking or weapons possession or weapons trafficking without the prior approval of the supervising officer or the Court ☐ except immediate family members; and/or ☐ as required by a treatment regimen.



## ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

The commission of any crime while on pre-trial release may result in an additional sentence to a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to five years of imprisonment, and a \$250,000 fine or both to intimidate or attempt to intimidate a witness, victim, juror, informant or officer of the court, or to obstruct a criminal investigation. It is also a crime punishable by up to ten years of imprisonment, a \$250,000 fine or both, to tamper with a witness, victim or informant, or to retaliate against a witness, victim or informant, or to threaten or attempt to do so.

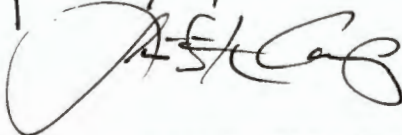
If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

## ACKNOWLEDGMENT OF DEFENDANT

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

*Acknowledged by defendant  
at hearing on 3/12/2018.*  


\_\_\_\_\_  
Signature of Defendant

\_\_\_\_\_  
(Address)


\_\_\_\_\_  
(City and State)

\_\_\_\_\_  
(Telephone)

## DIRECTIONS TO UNITED STATES MARSHAL

- ☒ The defendant is ORDERED released after processing.
- ☐ The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions of release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

DATED: March 12, 2018.

  
\_\_\_\_\_  
Laurie Smith Camp  
Chief United States District Judge